

SPECIAL EXPENSES PAYMENT

NOTE: Authority for approval of any of these expenses rests with the **Regional Director** (of the respective service county) except when delegated or otherwise specified.

NOTE: Special expense payment made through the Grandparents as Guardians program does not require **Regional** office approval. All other stipulations and the need for supervisory approval should be observed. Special expenses for a CYAC child must be invoiced using the CYAC parent's name and DCN.

1. Medical and dental expenses not covered by the Missouri Medical/Dental Services program. All non-Medicaid expenses must be cleared through the **Regional Office**. CD will not pay any medical expense for children not in agency custody unless specific exceptions are noted in the Alternative Care Hand-book.

- A. All necessary medical care, as determined by the county office, will be allowed. Staff must ensure that the Department of Health (DH) and the Division of Medical Services (DMS) resources are explored, as well as any other resources before utilizing HDN funds. Staff should instruct foster parents to request physicians to use DMS approved prescriptive medicine substitutes when possible. No payment will be made for vendor charges which exceed program maximums.

Any medical/dental (including orthodontia) expense over \$500.00 must be sent through supervisory channels to the Children's Services Systems Unit (CSSU), for evaluation by DMS for appropriateness of charges. Approval will be given by the **Regional Director** upon receipt of the evaluation from Central Office.

- B. Orthodontic treatment will be covered when determined medically necessary by a Medical Doctor from a written statement. A written statement must also be secured from the orthodontist which provides the following information:

- A diagnosis and prognosis which includes an estimate of the number of months treatment will be required;
- The amount of cost for the total treatment program; and
- A statement which indicates the treatment is medically necessary for other than cosmetic purposes.

Any orthodontic expense shall be sent to CSSU for review by DMS. After review by DMS, CSSU will return the information to the **Regional Director** for approval or disapproval. After the county has received approval from the **Regional Director**, a letter of agreement, which addresses the following, should be submitted to the orthodontist:

- The Children's Division will be responsible for payment only when the Division has care and custody of the child, and the child remains in an alternative care setting. The Division will not pay for any treatment received under this agreement after custody is removed from the Division;
- The Division does not pay for any services in advance;
- A lump sum payment will be made to cover the cost of initial diagnosis, consultation, initial banding and treatment;
- Any charges covered by Medicaid shall be billed to Medicaid.

The orthodontist should bill the county office after he completes the initial banding. This usually includes all material and services from the initial diagnostic visit through the placement of bands. The amount shall be invoiced on Form CS-65.

- C. Children's orthopedic shoes and the abduction rotation bar will be paid for as a special expense if it is documented that the service cannot be paid for with DMS funds.

NOTE: Both items are covered under the Durable Medical Equipment Program if the following conditions are met.

- 1) the recipient is eligible for Missouri Medical/Dental Services;
 - 2) the provider is a participant in the program; and
 - 3) the orthopedic shoes are attached with a brace.
2. Transportation Costs: Any allowable costs shall be paid to a foster parent at the current state mileage rate. Use the following options in priority sequence; that is, use a CTS provider if at all possible, if not, then reimburse a foster parent from Alternative Care Special Expenses.
- A. Contracted transportation costs for certain areas and services.
- 1) Using Forms CS-67 and CS-67A, transportation costs for children receiving alternative care services may be authorized. To complete Forms CS-67 and CS-67A, staff must contact the provider to determine the estimated mileage and enter the number of units to be authorized.
 - 2) Transportation may be provided for medical care, counseling, parent education classes, visitation, or other services intended to support the

case plan. If a foster parent transports the child, CD shall reimburse allowable transportation expenses.

- 3) Transportation for Day Care Services is not an allowable cost, even if such services are part of the child's case plan.

B. Transporting a child in alternative care via airplane, bus or train.

- 1) All requests for tickets to transport a child in alternative care via airplane, train, or bus, must go through the Payment Processing & Planning Unit in State Office. Staff must complete the ticket request form and fax to State Office for processing. Once received, the ticket will be purchased and arrangements will be made to have it waiting for the child upon arrival. All requests must be made at least 48 hours in advance of the date of travel. However, it is preferable that more advance notice be provided if the travel plans are definite. The cost of the ticket will be direct billed to State Office, thus local staff should not have to take any steps to make payment.

C. Allowable costs will be paid through CSIPS, via Form CS-65, for the following purposes:

- 1) Bus or train fare when this is used to move a child from one facility to another.
- 2) Costs incurred to move a child while complying with the Interstate Child Placement Compact (ICPC).
- 3) Parent/child visitation as approved by a Children's Service Supervisor III.

NOTE: Costs for a IV-E Alternative Care eligible child must be charged against IV-E funds.
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- 4) Transportation may be provided for parent education classes, visitation, or other services intended to support the case plan if DMS Resources are not available. Transportation may also be provided for medical care and counseling.

D. Escorting a child/ICPC plan

- 1) The CSW must obtain approval/written authorization through supervisory lines for out-of-state travel. (Forms for this purpose can be obtained through the Children's Services Section.) In emergency situations, approval can be obtained after the fact.

- 2) Form CS-65 with the proper receipts attached, should be used to authorize payment for the child's expenses.

NOTE: Payment for the worker's expenses of escorting the child should be billed through Form DOF-11 or Form DOF-14 and charged to county E & E.

3. Medical expenses for infants released for adoption at birth. Costs will be paid if the following conditions are met:

NOTE: Biological parents are expected, when at all possible, to meet the mother's and the newborn's hospital and medical care costs even though the child is relinquished for adoption.

- A. The child must be in Children's Division (CD) custody.
 - B. The natural parents and other resources should be contacted first to assess the ability to meet the cost of care.
 - C. Hospital expenses for time delays between date of birth and date of custody transfer to the Division may be covered.
 - D. The maximum allowable cost is determined by DMS guide-lines for these costs.
 - E. All claims must be sent to Deputy Director, Children's Services Section, through supervisory channels, for evaluation of cost appropriateness, and payment, if approved.
4. Day Care costs for children in foster family care:

Related Subjected: Section 3, chapter 5, Attachment E, Protective Services Day Care.

- A. This is an allowable cost if it is deemed as a necessary part of the case plan or the foster parent needs day care due to employment, schooling, or training.
 - B. Costs are to be paid through the use of Protective Service Day Care funds.
5. Special Education Costs: Special education costs should be met by the local school district except for tutorial plans which are intended to support a child's special education plan. Schools should be helped, as needed, to seek the assistance of the Department of Elementary and Secondary Education (DESE) in meeting the cost of a child's special education needs.
6. Legal Fees: Agency payment for court costs relating to Termination of Parental Rights (TPR) hearings and adoption proceedings, including attorney fees for the

birth parent, according to Administrative Rule, 13 CSR 40-30.020 Attorney Fees in Termination of Parental Rights Cases, allows the following fees:

- Any attorney shall, at the conclusion of representation be compensated at a rate not exceeding one hundred dollars (\$100) per hour. Attorneys may be reimbursed, at the conclusion of the representation for expenses reasonably incurred, including the costs of transcripts authorized by court.
- The compensation to be paid for representation at trial shall not exceed one thousand dollars (\$1,000) for uncontested matters and seven thousand dollars (\$7,000) for contested matters.
- For representation in an appellate court, the compensation shall not exceed three thousand five hundred dollars (\$3,500) at one hundred dollars (\$100) per hour.
- At any time an attorney believes that the cost of representation will surpass the limits provided, they must provide notice to the Children's Division that they may exceed the current maximum fee and this amount must be approved by the court.

Missouri Statute, 453.020 states, "the Guardian ad Litem (GAL) may be awarded a reasonable fee for such services to be set by the court. The court, in its discretion, may award such fees as a judgment to be paid by any party to the proceedings or from public funds. Such an award of GAL fees shall constitute a final judgment in favor of the GAL."

Approval for payment of these costs must be received from the **Regional** Director by submitting the request through supervisory channels. The court must enter an order for the payment of these fees by CD before CD will pay court costs in a TPR or adoption case. Legal expenses in excess of \$100/hour shall be referred through supervisory channels to the DLS attorney assigned to their circuit, who will then make the decision whether to approve or disapprove the expense.

If excessive attorney fees are ordered by the court, the worker is to send this request for an opinion through normal supervisory channels to the DLS attorney assigned to their circuit within 30 days of the ruling in order to meet time limits on court orders.

Fees of the attorney for the Juvenile Officer (JO) in a TPR action, and fees of an expert witness subpoenaed by the Juvenile Officer are not an allowable agency expense.

Payment for legal costs for adoption subsidy cases must be approved by the **Regional** Director after submitting the request through supervisory channels using the CS-SA-2 **ATT**.

Related Subject: Chapter 30, of this section, Subsidizing an Adoption/Legal Guardianship.

GAL and attorney fees in an abuse/neglect proceeding are not an allowable agency expense.

7. Behavioral Foster Care (BFC) Incentive/Reinforcement Payments: The BFC foster parent may receive up to \$100.00 per month of incentive/reinforcement payments.
 - A. An amount equal to \$15.00 per week but not to exceed \$60.00 per month will be paid to the BFC foster parent for completion of the weekly chart package and other required paperwork.
 - B. In order to receive the payment, the completed charts must be received or verified by the BFC CSW within fourteen (14) calendar days of the completion date.
 - C. After the weekly record keeping payments have been made, the balance may be used to pay for planned reinforcers for the BFC child.
 - D. The BFC parent will provide the reinforcer and bill the Division for the expense. To ensure prompt reimbursement, receipts or invoices are required before payment is approved.
 - E. Payment for the incentive/reinforcements is generated via the completion of a CS-65.
8. Exceptions: Exceptions to any of the above or allowances for any unusual costs for children in alternative care must be approved by the **Regional** Director and submitted to the Deputy Director, Children's Services Section, for processing.

MEMORANDA HISTORY: CS04-64, **CD-04-79**